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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/731,277	12/08/2003	Jinsheng Wang	8892000-6C	1300

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EXAMINER	
LIN, WEN TAI	

ART UNIT	PAPER NUMBER
2154	

DATE MAILED: 06/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/731,277	WANG ET AL.	
	Examiner	Art Unit	
	Wen-Tai Lin	2154	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *08 December 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-9* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-9* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *08 December 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-9 are presented for examination.

Double Patenting

The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

2. Claim 1 is rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claim 1 of U.S. Patent No. 6662226. Although the conflicting claims are not identical, they are not patentably distinct from each other

because claim 1 of the instant application defines an obvious variation of the invention claimed in Patent No. 6662226.

Initially, it should be noted that the instant application is a continuation application of parent patent 6662226. Claim 1 of the patent is compared to claim 1 of the instant application in the table below. Although the wordings in the third rows are slightly different, the features contained therein are implicitly or explicitly correspondent between the cited patent and the instant application. In other words, the common subject matter in the third row is equivalent in that both systems provide a series of displays, and only the displays that have been interacted with predefined user actions are captured, which are collected in the same order as they are displayed.

As indicated from the table and based on the analysis above, claim 1 of the patent contains all the limitations of claim 1 of the instant application. Claim 1 of the instant application therefore is not patentably distinct from the earlier patent claim and as such is unpatentable for obvious-type double patenting (In Goodman CA FC 29 USPQ2d 2010 (12/3/1993)).

Patent No. 6662226	Instant Application
A method for archiving an interaction by a user with a terminal device having a display screen and a random access memory, the method comprising:	A method for tracking predetermined activities for a terminal display, the method comprising:
activating a local screen capturing module during a period of time indicated by	

an initiation signal and a termination signal from a remote server	
the screen capturing module automatically capturing a series of screen displays off the display screen to produce one or more files representing a series of predefined user interface events in the period of time, wherein the capturing only activates when there is predefined action to one of the screen displays, each of the one or more files includes interactions by the user with the one of the screen displays,	providing a series of displays on the terminal display, at least some of the displays requiring interactions from a user and being referred to as interactive displays; capturing one of the interactive displays after the one of the interactive displays has been altered with at least one interaction from the user in accordance with a predetermined requirement; continuing to successively display a next one of the interactive displays till a last one of the interactive displays, wherein each of the interactive displays is captured in a sequence of being displayed, and each of the captured displays includes at least one interaction from the user in accordance with a predetermined requirement
and non-contextual background information thereof	

wherein the interactions and all other information in the one of the screen displays are in image pixels	saving the captured display into an image
generating one or more attributes to be associated with each of the one or more files	
storing the generated one or more files in a storage area retrievable by the remote server	sending at least some of the captured displays to a server.
that includes an OCR engine to analyze the files.	

3. Claims 1-8 are objected to because of the following informalities:

(1) As to claim 1, the phrase at lines 11-12 "each of the interactive displays is captured ..." appears to imply that all the interactive displays are captured. However, the limitation at claim 1 lines 6-7 initiates the capturing only after the interactive display has been altered.

(2) As to claim 7, it is unclear what is meant by "the interaction includes one or more of ... (iii) a word or phrase"? That is, a word or a phrase entered by the user? (Note that claim 1 line 4 requires that the interactions be caused by a user). If so, then

item (iii) is part of item (i) which requires that the interaction be caused by an entry by the user. For prior art rejection in this office action, item (iii) is ignored.

Clarification/Correction is expected in response to this office action.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Dreste et al.[U.S. Pat. No. 5388252].

6. As to claim 1, Dreste teaches the invention as claimed including: a method for tracking predetermined activities [e.g., diagnostic activities] for a terminal display, the method comprising:

providing a series of displays on the terminal display, at least some of the displays requiring interactions from a user and being referred to as interactive displays

[e.g., Fig.4; col.7, line 26 – col.8, line 34; i.e., once the interactive window is created, the displays are altered as a result of remote interaction from the technical expert];

capturing one of the interactive displays after the one of the interactive displays has been altered with at least one interaction from the user in accordance with a predetermined requirement; saving the captured display into an image [e.g., col.8, lines 8 – 18];

continuing to successively display a next one of the interactive displays till a last one of the interactive displays, wherein each of the interactive displays is captured in a sequence of being displayed, and each of the captured displays includes at least one interaction from the user in accordance with a predetermined requirement [e.g., col.10, line 26-52]; and sending at least some of the captured displays to a server [i.e., the remote computer].

7. Claims 1-3, 5-7 and 9 are rejected under 35 U.S.C. 102(e) as being anticipated by Olah et al.[U.S. Pat. No. 6446119].

8. As to claim 1, Olah teaches the invention as claimed including: a method for tracking predetermined activities [e.g., web page downloading] for a terminal display [e.g., Abstract], the method comprising:

providing a series of displays on the terminal display, at least some of the displays requiring interactions from a user and being referred to as interactive displays

[e.g., col.4, lines 29-49; 18, Fig.2; downloading a webpage from a remote website requires user's interaction at the client computer];

capturing one of the interactive displays after the one of the interactive displays has been altered with at least one interaction from the user in accordance with a predetermined requirement; saving the captured display into an image [e.g., col.12, line 59 – col.13, line 9];

continuing to successively display a next one of the interactive displays till a last one of the interactive displays, wherein each of the interactive displays is captured in a sequence of being displayed, and each of the captured displays includes at least one interaction from the user in accordance with a predetermined requirement [e.g., col.10, lines 5-36, wherein the "predetermined requirement" is that the interception could only occur between predefined multiplicity of discrete times]; and sending at least some of the captured displays to a server [i.e., the captured screen images are sent to the monitoring computer].

9. As to claims 2-3, Olah further teaches generating one or more attributes to be associated with each of the captured displays, wherein the one or more attributes includes an alphanumeric character string [e.g., col.10, lines 34-36].

10. As to claims 5-6, Olah further teaches that the alphanumeric character string pertains to a time at which any of the interactive displays was altered [note that each downloaded display is triggered by the user which causes the display to be altered,

therefore the appended time and date (i.e., the time stamp -- see col.10, lines 34-36) pertains to a time at which the interactive display is altered].

11. As to claim 7, Olah further teaches that the interaction includes one or more of (i) an entry by the user and (ii) a click by the user [e.g., entering a URL or clicking a link would cause the display to change].

12. As to claim 9, A method for tracking predetermined activities for a terminal display, the method comprising:

uploading a file to a display device upon receiving a playback request, wherein the file includes a representation of a series of captured screen displays of a terminal display associated with a user, wherein each of the screen displays reflects at least a change entered by the user in comparing with an original version thereof; and displaying the series of screen displays on the display device in a specified order to show how the user has altered each of the screen displays [col.6, line 66 – col.7, line 14].

Claim Rejections - 35 USC § 103

13. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

14. Claims 4 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Olah et al.(hereafter "Olah")[U.S. Pat. No. 6446119], as applied to claims 1-3, 5-7 and 9 above, further in view of Official Notice.

15. As to claim 4, Olah does not specifically teach that the alphanumeric character string is encrypted.

However, Official Notice is taken that encrypting messages in a unsecure communication environment is well known in the art.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to encrypt Olah's captured images, including the appended time and date, prior to sending the captured information to the monitoring site because it enables the transferred information to be guarded against any security breach.

16. As to claim 8, Olah does not specifically teach sending at least some of the captured displays to the server by compressing the captured displays into a file according to a compression scheme.

However, Official Notice is taken that compressing image/data for reducing traffic over the network is well known in the art.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to compress Olah's captured images because it speeds up the image transfer between the client and the monitoring site.

17. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Smithies et al. [U.S. Pat. No. 6381344], who teaches method of capture, storage, transport and authentication of handwritten signatures including encrypting and compressing the signature envelope for subsequent review.

Perholtz et al. [U.S. Pat. No. 5732212],], who teaches remote monitoring and controlling personal computers by transmitting video images for predetermined character displays.

18. A shortened statutory period for response to this action is set to expire 3 (three) months and 0 days from the mail date of this letter. Failure to respond within the period for response will result in ABANDONMENT of the application (see 35 U.S.C. 133, M.P.E.P. 710.02, 710.02(b)).

Conclusion

Examiner note: Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part

of the claimed invention, as well as the contest of the passage as taught by the prior art or disclosed by the Examiner.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wen-Tai Lin whose telephone number is (571)272-3969. The examiner can normally be reached on Monday-Friday (8:00-5:00) .

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (571)272-3964. The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

(571) 273-8300 for official communications; and

(571) 273-3969 for status inquires draft communication.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Wen-Tai Lin

May 29, 2006

5/29/06